



# UNITED STATES PATENT AND TRADEMARK OFFICE

mn

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,805	04/28/2006	Kenichiro Tada	046262-0134	6981

22428 7590 07/18/2007  
FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER
----------

SCHMIDT, KARI L

ART UNIT	PAPER NUMBER
----------	--------------

2139

MAIL DATE	DELIVERY MODE
-----------	---------------

07/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/577,805	Applicant(s) TADA, KENICHIRO	
	Examiner Kari L. Schmidt	Art Unit 2139	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 9-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/28/2006</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsushita Denki Sangyo K. K. (JP 08-322034).

#### Claim 15

Sangyo discloses an encryption recording method comprising:

encryption processing including encrypting encoded data formed by an encoding block including at least an intraframe encoded image while changing an encryption key for at least one encryption block; and generating management information including key application information indicating number of encryption keys used in encrypting the encoded data and application range information indicating an application range for each of the encryption keys; and recording the encrypted encoded-data and the management information on a recording medium, wherein the encrypting includes encrypting, when encryption key change timing is in a middle of encryption of the intraframe encoded image, at least one intraframe encoded image with a single encryption key to prevent the encryption key from being changed in the middle of the encryption of the one intraframe encoded image, and the application range information includes key

Art Unit: 2139

information indicating the encryption key, a key application start number indicating a start position of the encryption block where the key information is used, and number of the encryption keys used (see at least, [0006-0014]: 'line b indicates a state when a digital signal of GOP units is transmitted by being divided into TS packet units... number has been allocated to each GOP and Ts packet. The state when the three GOPs are transmitted by being divided into n TS packets including TS1 to TSn...when a digital signal is scrambled while updating scramble keys Ks1, Ks2... for each updating period of T1. .."and Line c indicates a state on the transmission side when a digital signal is scrambled while updating scramble keys Ks1, Ks2, ... for each updating period T1. In an updating period T1 from time t1 to t5, the Ts packet to be transmitted is scrambled by the scrambled key Ks1 and between the times t5 and t7 the Ts packet to be transmitted is scrambled by the scramble key Ks2... and Line d indicates a timing of distributing the scramble key from the transmission side to the reception side... distributes the scramble key Ks2 in advance for a decoder allowing viewing/listening in the time t3...").

#### Claim 16

Sangyo discloses the encryption recording method according to claim 15, wherein the encrypting includes delaying, when encryption key change timing is in the middle of the encryption of the intraframe encoded image, the encryption key change timing to prevent the encryption key from being changed in the middle of the encryption of the intraframe encoded image (see at least, [0006], [0009]: 'line b indicates a state when a

Art Unit: 2139

digital signal of GOP units is transmitted by being divided into TS packet units... number has been allocated to each GOP and Ts packet. The state when the three GOPs are transmitted by being divided into n TS packets including TS1 to TSn...when a digital signal is scrambled while updating scramble keys Ks1, Ks2... for each updating period of T1. .." and Line d indicates a timing of distributing the scramble key from the transmission side to the reception side... distributes the scramble key Ks2 in advance for a decoder allowing viewing/listening in the time t3..."

#### Claim 17

Sangyo discloses the encryption recording method according to claim 15, further comprising: inserting, when the encryption key change timing is in a middle of encryption of the encoding block, dummy information right before the encoding block to prevent the encryption key from being changed in the middle of the encryption of the encoding block (see at least, [0012-0014]: "eliminate the time in which descrambling can be performed but image display is not possible in the waiting time needed from the start of reception by changing the channel (= dummy information) image display, and to be able to decrease the waiting time..."

#### Claims 9-14

The apparatus and method claims are one of the same therefore rejected for the same reason as the method claims above.

#### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ishiguro (5,796,839) teaches encryption method, encryption apparatus, recording method, decoding method, decoding apparatus and recording medium.

Chen (US 2004/0228401 A1) teaches method and system for protecting image data in frame buffers of video compression systems.

Ishibashi (US 6,314,188 B1) teaches motion picture data encrypting method and computer system and motion picture data encoding/decoding apparatus to which encrypting method is applied.

Enarl (EP 0649261 A2) teaches image data processing and encrypting apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kari L. Schmidt whose telephone number is 571-270-1385. The examiner can normally be reached on Monday - Friday: 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2139

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KS

  
TAGHI ARANI  
PRIMARY EXAMINER

6/25/07